

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---



CHRISTOPHER MORRISHAW, 07-A-0433,

Plaintiff,

-v-

ROBERT DRUGER, OPTHAMOLOGIST,

Defendant.

---

DECISION AND ORDER  
09-CV-6207Fe

Plaintiff has submitted a complaint to the Court and seeks permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. In order for the Court to grant the request, it needs sufficient information on which to base its determination.

Here, the documentation plaintiff has submitted is inadequate to permit the Court to evaluate the request, because plaintiff has neglected to have prison officials complete the required prison certification section of the application form, without which the Court cannot grant the request and put the case forward. Plaintiff indicates that he intended to attach an account summary sheet, but no exhibit was attached to the application. Because this section of the application form must be completed and signed by a prison official, plaintiff may have until **June 5, 2009** to submit a supplementary application which includes a completed prison certification section.

The Clerk of the Court is directed to send plaintiff a new form application to proceed as a poor person.

By **June 5, 2009**, plaintiff must either submit the supplemental application form with a completed and signed prison certification or pay the full filing fee of \$350.00. Plaintiff is

forewarned that failure to comply with this order by either submitting the supplemental application with a signed certification section or paying the filing fee by the designated date will result in the dismissal of this case without prejudice.

If plaintiff has not complied with this order by **June 5, 2009**, the Clerk of the Court is directed to close this case as dismissed without prejudice without further order.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "David G. Larimer", written over a horizontal line.

DAVID G. LARIMER  
United States District Judge

DATED: April 28, 2009  
Rochester, New York